



Illinois
Department of Commerce
& Economic Opportunity
OFFICE OF BROADBAND
JB Pritzker, Governor



UNIVERSITY OF ILLINOIS SYSTEM



BEAD Challenge Process – Reference Material for Evidence

As of 1/31/2024

What evidence can you use to submit a challenge? (1/6)

Challenge type/code

Description

Specific examples of permissible evidence

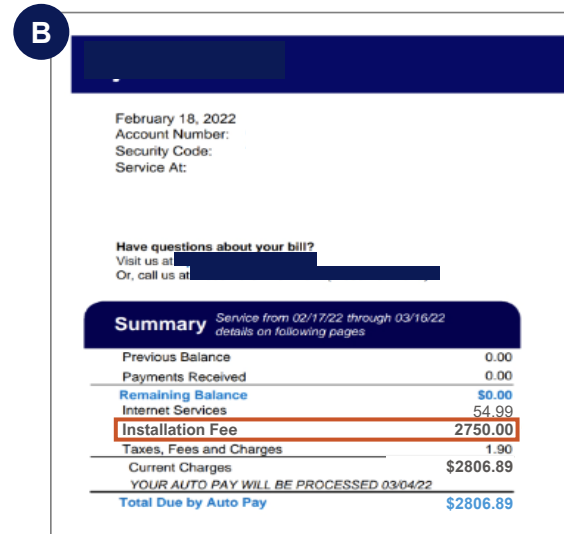
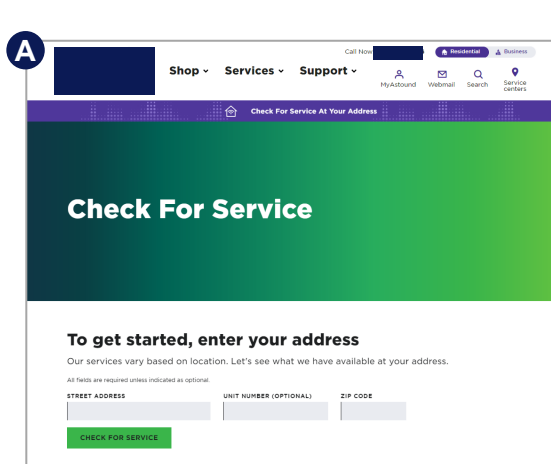
Availability (A)

The broadband service identified is not offered at the location, including a unit of a multiple dwelling unit (MDU)

A Screenshot of provider webpage

- A service request was refused within the last 180 days (e.g., an email or letter from provider)
- Lack of suitable infrastructure (e.g., no fiber on pole)
- A letter or email dated within the last 365 days that a provider failed to schedule a service installation or offer an installation date within 10 business days of a request¹

Evidence examples



- A letter or email dated within the last 365 days indicating that a provider requested more than the standard installation fee to connect this location or that a Provider quoted an amount in excess of the provider's standard installation charge in order to connect service at the location

1. A standard broadband installation is defined in the Broadband DATA Act (47 U.S.C. § 641(14)) as “[t]he initiation by a provider of fixed broadband internet access service [within 10 business days of a request] in an area in which the provider has not previously offered that service, with no charges or delays attributable to the extension of the network of the provider.”

What evidence can you use to submit a challenge? (2/6)

Challenge type/code

Description

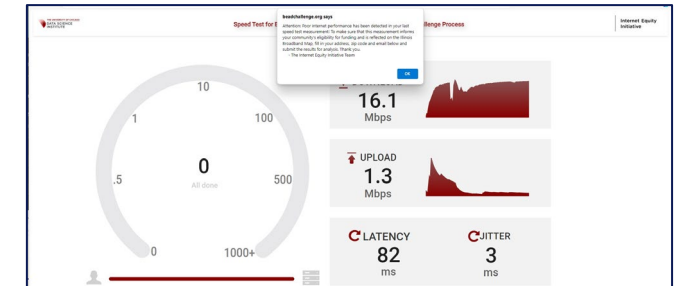
Specific examples of permissible evidence

Evidence examples

Speed (S)

The actual speed of the service tier falls below the unserved or underserved thresholds¹

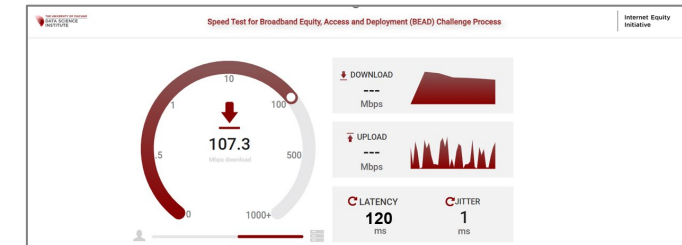
- Speed test by subscriber, showing the insufficient speed and meeting the requirements for speed tests



Latency (L)

The round-trip latency of the broadband service exceeds 100 ms³

- Speed test by subscriber, showing the excessive latency



1. The challenge portal has to gather information on the subscription tier of the household submitting the challenge. Only locations with a subscribed-to service of 100/20 Mbps or above can challenge locations as underserved, while only locations with a service of 25/3 Mbps or above can challenge locations as unserved. Speed challenges that do not change the status of a location do not need to be considered. For example, a challenge that shows that a location only receives 250 Mbps download speed even though the household has subscribed to gigabit service can be disregarded since it will not change the status of the location to unserved or underserved. 2. As described in the NOFO, a provider's countervailing speed test should show that 80 percent of a provider's download and upload measurements are at or above 80 percent of the required speed. See Performance 3 Measures Order, 33 FCC Rcd at 6528, para. 51. See BEAD NOFO at 65, n. 80, Section IV.C.2.a 3. Performance Measures Order, including provisions for providers in non-contiguous areas (§ 21) 4. Ibid

What evidence can you use to submit a challenge? (3/6)

Challenge type/code

Description

Specific examples of permissible evidence

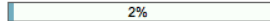
Evidence examples

Data Cap (D)

The only service plans marketed to consumers impose an unreasonable capacity allowance ("data cap") on the Consumer¹

- A Screenshot of provider webpage
 - Service description provided to Consumer

A Your [redacted] High-Speed Internet service has a monthly data usage allowance of 250 gigabytes (GB). If you are wondering whether you are at risk of exceeding this 250GB threshold, you should know that the vast majority - around 99% - of [redacted] customers use significantly less than 250GB per month. [Learn more](#)

| May 2011 Data Usage | Included | Used | Remaining |
|----------------------------------------------------------------------------------------|----------|------|-----------|
|  2% | 250GB | 6GB | 244GB |

As of 5/6/2011*

*Actual usage shown is not real-time and could be delayed up to 3 hours.

Technology (T)

The technology indicated for this location is incorrect

- Manufacturer and model number of residential gateway (CPE) that demonstrates the service is delivered via a specific technology



Business service only (B)

The location is residential, but the service offered is marketed or available only to businesses

- Screenshot of provider webpage

This looks like a business address.

[Shop Business Offers](#)

Shop offers at a different address

1. An unreasonable capacity allowance is defined as a data cap that falls below the monthly capacity allowance of 600 GB listed in the FCC 2023 Urban Rate Survey (FCC Public Notice DA 22-1338, December 16, 2022). Alternative plans without unreasonable data caps cannot be business-oriented plans not commonly sold to residential locations. A successful challenge may not change the status of the location to unserved or underserved if the same provider offers a service plan without an unreasonable capacity allowance or if another provider offers reliable broadband service at that location

What evidence can you use to submit a challenge? (4/6)

Challenge type/code

Description

Specific examples of permissible evidence

Evidence examples

Enforceable Commitment (E)

The challenger has knowledge that broadband will be deployed at this location by the date established in the deployment obligation

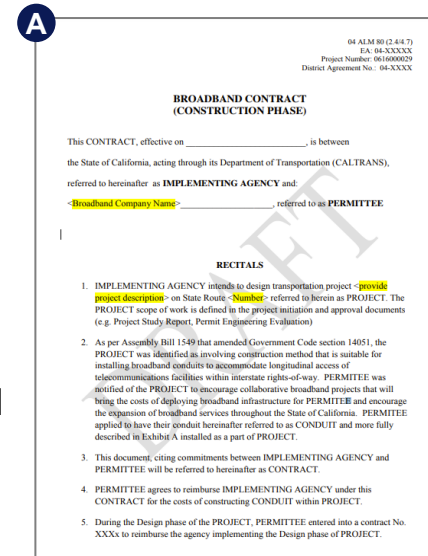
- Enforceable commitment by service provider (e.g., authorization letter). In the case of Tribal Lands, the challenger must submit the requisite legally binding agreement between the relevant Tribal Government and the service provider for the location(s) at issue



Planned (or existing) service (P)

The challenger has knowledge that broadband will be deployed at this location by June 30, 2024, without an enforceable commitment or a provider is building out broadband offering performance beyond the requirements of an enforceable commitment

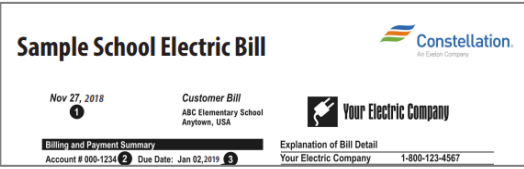
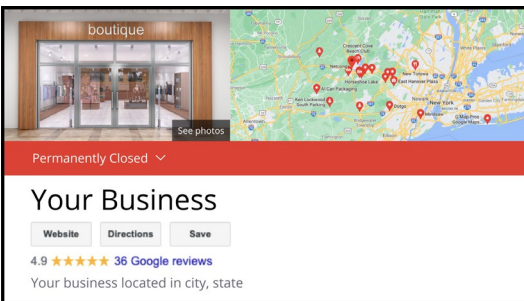
- For planned service:
 - **A** Construction contracts or similar evidence of on-going deployment, along with evidence that all necessary permits have been applied for or obtained
 - Contracts or a similar binding agreement between the Eligible Entity and the provider committing that planned service will meet the BEAD definition and requirements of reliable and qualifying broadband even if not required by its funding source (i.e., a separate federal grant program), including the expected date deployment will be completed, which must be on or before June 30, 2024



For existing service:

- Provider shows that the location subscribes or has subscribed within the last 12 months, e.g., with a copy of a customer bill.
- Evidence that service is now available as a standard installation, e.g., via a copy of an offer sent to the location.

What evidence can you use to submit a challenge? (5/6)

| Challenge type/code | Description | Specific examples of permissible evidence | Evidence examples |
|-----------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
| Not part of enforceable commitment (N) | This location is in an area that is subject to an enforceable commitment to less than 100% of locations and the location is not covered by that commitment. (See BEAD NOFO at 36, n. 52) | <ul style="list-style-type: none"> Declaration by service provider subject to the enforceable commitment | |
| Location is a CAI (C) | The location should be classified as a CAI | <ul style="list-style-type: none"> Evidence that the location falls within the definitions of CAIs set by the Eligible Entity |  |
| Location is not a CAI (R) | The location is currently labeled as a CAI but is a residence, a non-CAI business, or is no longer in operation | <ul style="list-style-type: none"> Evidence that the location does not fall within the definitions of CAIs set by the Eligible Entity or is no longer in operation |  |

What evidence can you use to submit a challenge? (6/6)

Challenge type/code

Description

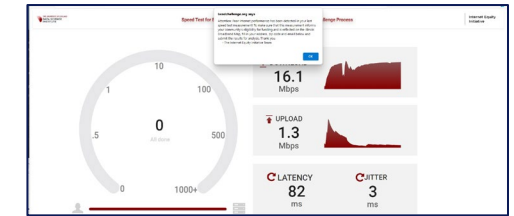
Specific examples of permissible evidence

Evidence examples

Speed (S) for CAIs

The actual speed of the service tier for the CAI location falls below 1-Gb symmetrical¹

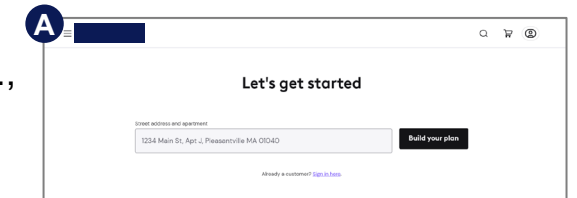
- Speed test by CAI, showing the insufficient speed and meeting the requirements for speed tests



Availability (A) for CAIs

The broadband service identified is not offered at the location of the CAI

- **A** Screenshot of provider webpage
 - A service request was refused within the last 180 days (e.g., an email or letter from provider)
 - Lack of suitable infrastructure (e.g., no fiber on pole)
 - A letter or email dated within the last 365 days that a provider failed to schedule a service installation or offer an installation date within 10 business days of a request¹
 - A letter or email dated within the last 365 days indicating that a provider requested more than the standard installation fee to connect this location or that a Provider quoted an amount in excess of the provider’s standard installation charge in order to connect service at the location



e.g., check the availability of the location on provider webpage

1. A standard broadband installation is defined in the Broadband DATA Act (47 U.S.C. § 641(14)) as “[t]he initiation by a provider of fixed broadband internet access service [within 10 business days of a request] in an area in which the provider has not previously offered that service, with no charges or delays attributable to the extension of the network of the provider.” 2. As described in the NOFO, a provider’s countervailing speed test should show that 80 percent of a provider’s download and upload measurements are at or above 80 percent of the required speed. See Performance 3 Measures Order, 33 FCC Rcd at 6528, para. 51. See BEAD NOFO at 65, n. 80, Section IV.C.2.a